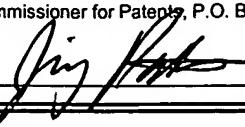


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV382165378US, in an envelope addressed to: MS Patent Application Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 3/25/04

Signature: 

(Jimmy D. Patterson)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As below named inventors, We hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTIMICROBIAL PROTEINS FROM THE SPO1 BACTERIOPHAGE

the specification of which is attached hereto.

In the event that the filing date and/or Application No. are not entered above at the time we execute this document, and if such information is deemed necessary, we hereby authorize and request our attorneys/agent(s) at **Jenkens & Gilchrist, a Professional Corporation, 5 Houston Center, 1401 McKinney, Suite 2700, Houston, Texas 77010**, to insert above the filing date and/or Application No. of said application.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

We acknowledge the duty to disclose all information known to us that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

no such foreign applications have been filed

such foreign application have been filed as follows:

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

We hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- no such U.S. provisional applications have been filed.
- such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/457287	March 25, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No _____
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No _____
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No _____

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

We hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to us between the filing date of the prior application and the national or PCT international filing date of this application:

- no such U.S./PCT applications have been filed.
- such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

All practitioners at Customer Number 24238 (listed here):

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Robert L. Abdon, Ph.D.	50,996	John C. Gatz	41,774	Constance M. Pielech	46,991
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all of **Jenkens & Gilchrist, a Professional Corporation**, 5 Houston Center, 1401 McKinney, Suite 2700, Houston, Texas 77010, jointly, and each of them severally, our attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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